

**REMARKS/ARGUMENTS**

Claims 1-70 are pending in the application. Claims 1-70 stand rejected as obvious over Franklin et al. (U.S. Patent No. 6,125,352).

***Specification Correction***

In the specification, first paragraph on page 1 (lines 7-9), the reference to the incorrect U.S. Serial No.09/190,933 is corrected to U.S. Serial No. 09/190,993.

***Claim Amendments***

The amendment of independent method claim 1 and independent system claim 46 proposes a transaction portal server that receives the selection data from the interface-enabled communications device via the wireless communication network, which transaction portal server is also coupled to a merchant server that has a check-out application in communication with a product database and an order fulfillment system and which merchant server is adapted for providing information describing one or more aspects of the product to the interface-enabled communications device from the product database via the wireless communication network coupled to the transaction portal server. See, e.g., Appln p. 9, lines 1-29, p. 16, lines 3-17, and Figs. 1-5.

The amendment of claims 1 and 46 proposes further that the merchant check-out application is adapted to receive shipping detail data via the transaction portal server from an electronic wallet server that is associated with the transaction portal server and coupled to a payment processor and is also adapted to receive payment option data from the interface-enabled communications device via the wireless communication network coupled to the transaction portal server. In addition, the amendment of claims 1 and 46 proposes that the transaction portal server transmits payment authorization data to the payment processor, which sends an authorization back to the transaction portal server, whereupon the transaction portal server transmits

order information to the order fulfillment system of the merchant. See e.g., Appln p. 17, line 3-p. 18, line 24 and Figs. 1-5.

Claims 8, 13, 24, and 27-45, 47-61, and 70 are canceled and claims 5-7, 9, 10, 14, 18, 20, 22, 23, 26, and 62-69 are amended to address editorial issues resulting from the amendment of claims 1 and 46.

Support for the foregoing amendment is found throughout the specification and in the claims as detailed above. Accordingly, no new matter has been added.

### ***Claim Rejections - 35 U.S.C. § 103***

Claims 1-70 stand rejected as unpatentable over Franklin et al. (U.S. Patent No. 6,125,352) under 35 U.S.C. § 103(a). The rejection is respectfully traversed and reconsideration is requested. Franklin et al. do not teach or suggest the method and system of operating a computer system for data management of an electronic transaction according to Applicants' claimed invention. Rather, Franklin et al. disclose nothing more than a PC running a browser with shopping basket, electronic wallet, and address book functionality capable of accessing a merchant's web server. See, e.g., Abstract.

Specifically, Franklin et al. do not teach or suggest a transaction portal server that receives the selection data from the interface-enabled communications device via the wireless communication network and which is also coupled to a merchant server that is provided with a check-out application in communication with a product database and an order fulfillment system and which merchant server also adapted for providing information describing one or more aspects of the product to the interface-enabled communications device from the product database via the wireless communication network coupled to the transaction portal server, as recited in independent claims 1 and 46. Rather, Franklin et al. disclose allowing a consumer at the consumer's PC to access a merchant's web site with the consumer's browser and gather and store information about the web merchant and the web merchant's products

and to order the web merchant's products using functionality of the consumer's PC. See, e.g., col. 7, lines 25-42; col. 8, line 58-col. 9, line 14; and col. 15, lines 13-24.

Nor do Franklin et al. teach or suggest a merchant check-out application that is adapted to receive shipping detail data via the transaction portal server from an electronic wallet server that is associated with the transaction portal server and coupled to a payment processor and also to receive payment option data from the interface-enabled communications device via the wireless communication network coupled to the transaction portal server, as recited in independent claims 1 and 46. On the contrary, Franklin et al. disclose functionality on the consumer's PC to store payment source information in the electronic wallet of the PC and shipping address information in the electronic address book of the PC and to load up the electronic wallet object if the consumer enters a selection on the consumer's PC to confirm a purchase. See, e.g., col. 25, line 65-col. 27, line 10; col. 24, line 39-col. 25, line 64; and col. 27, lines 11-40.

Neither do Franklin et al. teach or suggest the transaction portal server that transmits payment authorization data to the payment processor, which sends an authorization back to the transaction portal server, whereupon the transaction portal server transmits order information to the order fulfillment system of the merchant, as recited in independent claims 1 and 46. Rather, Franklin et al. disclose functionality on the consumer's PC for sending product and payment instruction information from the consumer's PC to the merchant's web server and to receive an order confirmation message transmitted to the consumer's PC browser by the merchant web server. See, e.g., col. 27, lines 28-50 and col. 28, lines 28-51.

Consequently, Franklin et al. do not recite the required combination of limitations proposing a transaction portal server that: a) receives selection data from the interface-enabled communications device via the wireless communication network; b) is coupled to a merchant server that has a check-out application in communication with a product database and an order fulfillment system, (i) which

merchant server is adapted for providing information describing one or more aspects of the product to the interface-enabled communications device from the product database via the wireless communication network coupled to the transaction portal server, and (ii) which check-out application is adapted to receive shipping detail data via the transaction portal server from an electronic wallet server that is associated with the transaction portal server and coupled to a payment processor and to receive payment option data from the interface-enabled communications device via the wireless communication network coupled to the transaction portal server; and c) transmits payment authorization data to the payment processor, which sends an authorization back to the transaction portal server, whereupon the transaction portal server transmits order information to the order fulfillment system of the merchant.

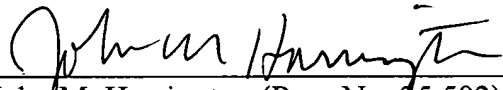
Because each and every element as set forth in independent claims 1 or 46 is not found, either expressly or inherently in Franklin et al., the Examiner has failed to establish the required *prima facie* case of unpatentability. See Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628 (Fed. Cir. 1987); See also MPEP §2131. The Examiner has failed to establish the required *prima facie* case of unpatentability for independent claims 1 and 46 and similarly has failed to establish a *prima facie* case of unpatentability for claims 2-7, 9-12, 14-23, 25, 26, and 62-69 that depend on claim 1 and which recite further specific elements that have no reasonable correspondence with the references.

### Conclusion

In view of the foregoing amendment and these remarks, each of the claims remaining in the application is in condition for immediate allowance. Accordingly, the examiner is requested to reconsider and withdraw the rejection and to pass the application to issue. The examiner is respectfully invited to telephone the undersigned at (336) 607-7318 to discuss any questions relating to the application.

Respectfully submitted,

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